

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE**

FUSION ELITE ALL STARS, et al., Plaintiffs, v. VARSITY BRANDS, LLC, et al., Defendants.	Case No. 2:20-cv-02600-SHL-tmp Jury Trial Demanded
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**DIRECT PURCHASER PLAINTIFFS' UNOPPOSED MOTION FOR
LEAVE TO FILE A MEMORANDUM OF LAW WITH EXCESS PAGES**

Direct Purchaser Plaintiffs (“DPPs”) Fusion Elite All Stars, Spirit Factor LLC d/b/a Fuel Athletics, Stars and Stripes Gymnastics Academy Inc. d/b/a Stars and Stripes Kids Activity Center, Kathryn Anne Radek, Lauren Hayes, and Janine Cherasaro, by and through Interim Co-Lead Class Counsel, hereby move this Court under Local Rule 7.2 for leave to file a memorandum of law with excess pages in support of their Unopposed Motion for Preliminary Approval of the Settlement, Provisional Certification of Proposed Settlement Classes, Approval of Notice Plan, and Approval of the Proposed Schedule for Completing the Settlement Process. DPPs plan to file the preliminary approval motion on Friday, March 24, 2023. Defendants do not oppose this motion for excess pages.

DPPs recognize the need for brevity. However, to address the issues raised by preliminary approval of the settlement, provisional certification of the settlement classes for purposes of settlement, and the plan for disseminating notice to the two proposed settlement classes adequately, DPPs require extra pages. The brief will explain the key settlement terms, including the monetary and prospective relief, and the scope of the release. The brief will further discuss the proposed

notice plan, describing long-form and publication notices and the methods of disseminating those notices to class members. It will further summarize DPPs' anticipated requests for attorneys' fees, reimbursement of litigation expenses, and service awards. Finally, the brief also will explain the reasons why the settlement will likely be approved at the final approval stage, detailing likely satisfaction of the requirements of Fed. R. Civ. P. Rule 23(e), including the reasons the Court will likely be able to certify the proposed Settlement Classes under Rule 23 for settlement purposes at final approval. DPPs are unable to address the multiplicity of issues required to support preliminary approval in under twenty pages, as required by Local Rule 7.2. DPPs respectfully request leave to file ten additional in support of their preliminary approval motion, bringing the page total to no more than thirty.

For these reasons, DPPs respectfully request that the Court enter an order granting this unopposed Motion, and allowing DPPs to file up to ten (10) additional pages in support of their motion for preliminary approval of the settlement.

Dated: March 23, 2023

Respectfully submitted,

By: /s/ Eric L. Cramer

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CERTIFICATE OF CONSULTATION

I hereby certify that on March 22, 2023, I consulted with the following counsel via email regarding the requested relief:

Steven J. Kaiser for the Varsity Defendants

Nicole Berkowitz Riccio for Defendant U.S. All Star Federation.

No party opposed the relief sought.

/s/ Eric L. Cramer

Eric L. Cramer

CERTIFICATE OF SERVICE

I, Eric L. Cramer, hereby certify that on March 23, 2023, I served the foregoing on all counsel of record by electronically filing this document with the Clerk of Court using the CM/ECF system.

/s/ Eric L. Cramer

Eric L. Cramer